

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited in view of the foregoing amendments and the following remarks.

Claims 70 through 95 are pending, with Claims 70, 77, 84, 88, 92, 93, 94, and 95 being independent. Claims 70, 77, and 78 have been amended.

The Examiner states that newly submitted Claims 84-95 are directed to an invention that is independent or distinct from the invention originally claimed because there are “new limitations such as pan, tilt and zoom operations of the camera that are controlled via Network communication”. The Examiner concludes that since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. As a result, Claims 84-95 are withdrawn from consideration as being directed to a non-elected invention.

Applicants traverse this restriction requirement for several reasons.

First, Claims 84, 85, 86, 88, 89, 90, 94, and 95 do not recite the “new limitations such as pan, tilt and zoom operations of the camera that are controlled via Network communication”. Therefore, the premise underlying the restriction requirement for many of the claims is incorrect, thereby rendering the restriction requirement inappropriate.

Second, Applicants submit that Claims 84-95 are so closely related to Claims 70-83 that 1) all of the claims could be searched by one Examiner without undue effort, 2) a duplicative search by two Examiners may possibly produce inconsistent results, 3) if one Examiner acts on all the claims of the present application, overall examining time will be less than if two Examiners are involved, and 4) examination of all of the claims by one Examiner will best ensure that there will be uniform prosecution quality. Therefore, in the

interest of prosecution quality and economy for both the Office and Applicants, withdrawal of the restriction requirement in this application is appropriate and is respectfully solicited.

Claims 70-83 are rejected under 35 U.S.C. § 112, second paragraph, because it is allegedly not clear in Claim 70 whether the term “a connecting device” in line 5 is part of the communication system or a separate device. In addition, the specification is objected to under 37 C.F.R. § 1.75(d)(1) and MPEP § 608.01(o) because it allegedly does not disclose “a connecting device” recited in Claim 70.

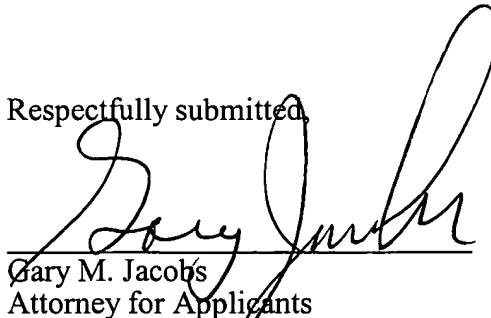
In response, while not conceding the propriety of the objection and rejection, Claim 70 has been amended to address the points raised by the Examiner. Applicants submit that as amended, Claim 70 now even more clearly satisfies 35 U.S.C. § 112, second paragraph, and the specification now even more clearly satisfies 37 C.F.R. § 1.75(d)(1) and MPEP § 608.01(o). Therefore, Applicants respectfully request withdrawal of the rejection of Claims 70-83 under 35 U.S.C. § 112, second paragraph, and withdrawal of the objection to the specification under 37 C.F.R. § 1.75(d)(1) and MPEP § 608.01(o).

Applicants gratefully acknowledge the indication that Claims 70-83 contain allowable subject matter and that these claims would be allowed if redrafted to overcome the rejection under 35 U.S.C. § 112, second paragraph noted above. Since Claim 70 has been so redrafted, Applicants now respectfully request that these claims be allowed.

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C., office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address below.

Respectfully submitted,



Gary M. Jacobs
Attorney for Applicants
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200
GMJ/DSG/ilp

DC_MAIN 219256v1